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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**  
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11 CRYSTAL LAKES,

12 Plaintiff(s),

13 v.

14 BATH & BODY WORKS, LLC,

15 Defendant(s).

Case No.: 2:18-cv-01087-JCM-NJK

**Order**

[Docket No. 1]

16 Pending before the Court is Bath & Body Works' motion to compel nonparty Tons Per  
17 Hour to comply with a subpoena for documents. Docket No. 1. "A motion for an order to a  
18 nonparty [to compel discovery] must be made in the court where the discovery is or will be taken."  
19 Fed. R. Civ. P. 37(a)(2).<sup>1</sup> In this case, the subpoena requires production of documents in Torrance,  
20 California, Docket No. 1-1 at 14, which is within the boundaries of the United States District Court  
21 for the Central District of California. As such, it is not clear that this is the proper forum in which  
22 to bring the pending motion to compel.

23 Accordingly, the motion to compel is hereby **DENIED** without prejudice. To the extent  
24 Defendant continues to seek relief from this Court, it must file a renewed motion by June 27, 2018.

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26 <sup>1</sup> This provision in Rule 37 parallels the provision in Rule 45 requiring a motion to quash  
27 a subpoena be filed in the district where compliance is required. *See* Fed. R. Civ. P. 45(d)(3); *see*  
28 *also Agincourt Gaming, LLC v. Zynga, Inc.*, 2014 WL 4079555, at \*3 (D. Nev. Aug. 15, 2014)  
("when a motion to quash a subpoena is filed in a court other than the court where compliance is  
required, that court lacks jurisdiction to resolve the motion").

1 Any such motion must include, *inter alia*, meaningful discussion supported by legal authority  
2 explaining why this is the proper forum to decide this discovery dispute.<sup>2</sup> If a renewed motion is  
3 not filed by June 27, 2018, this case will be closed.

4 IT IS SO ORDERED.

5 Dated: June 20, 2018

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9 Nancy J. Koppe  
10 United States Magistrate Judge  
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27 <sup>2</sup> Counsel shall ensure that any renewed motion complies with all applicable rules. Most  
28 basically, the pending motion does not include a certificate of service showing that Tons Per Hour  
was provided a copy and has notice of this action. *See* Local Rule 5-1.